

February 6, 2023

GSAI File: 1319-001

(Via Email)

Members of Peel Regional Council
Region of Peel
10 Peel Centre Drive
Brampton, ON L6T 4B9

REFERRAL TO _____
RECOMMENDED _____
DIRECTION REQUIRED _____
RECEIPT RECOMMENDED ☒

RE: City of Mississauga Major Transit Station Area Official Plan Amendments 142, 143, 144 and 146 (the "Mississauga OPAs")
Equity Three Holdings Inc.
3085 Hurontario Street, City of Mississauga

Glen Schnarr & Associates Inc. (GSAI) are the planning consultants to Equity Three Holdings Inc. (the "Owner") of the lands municipally known as 3085 Hurontario Street, in Cooksville, in the City of Mississauga (the 'Subject Lands' or 'Site'). As demonstrated on the Context Map included as Appendix "A" to this letter, the Subject Lands are located on the east side of Hurontario Street, south of Kirwin Avenue and north of Dundas Street. Although our Client supports the Dundas Major Transit Station Area ('MTSA') delineation and the inclusion of the Subject Lands within the Dundas MTSA, we are providing this Comment Letter to highlight our Client's objections to the Mississauga OPAs that are before Regional Council and in particular the imposition of a 30 storey building height maximum at the Site as set out in Official Plan Amendment 144.

GSAI, on behalf of the Owner, has been participating in the City of Mississauga Downtown Fairview, Cooksville and Hospital Policy Review, the City of Mississauga's City-Wide Major Transit Station Area Study, the Mississauga Official Plan Review, the Region of Peel Municipal Comprehensive Review (referred to as 'Peel 2051+') and the Region of Peel Major Transit Station Area Study initiatives and have submitted comments on these initiatives. We have reviewed the Mississauga OPAs, as presented in the agenda package for the February 9, 2023 Peel Regional Council meeting.

In particular regarding the current matter before Regional Council, and in addition to the commentary provided to the City of Mississauga (the 'City') to date, we are concerned that the Mississauga OPAs undermine the policy direction in the newly-approved Region of Peel Official Plan (the "ROP"), including the clear direction of the Minister of Municipal Affairs (the "Minister"). Further, in accordance with the *Planning Act*, Regional Council must be satisfied that the Mississauga OPAs conform with Provincial policy and with the ROP in all aspects. We are concerned that Regional Staff have not conducted an appropriate analysis of the maximum height policies of OPA 144 by limiting their review to ensuring that only the minimum densities set out in the ROP are met.

Background

The Site is within the Downtown Mississauga Urban Growth Centre, immediately adjacent to the planned Hurontario Light Rail Transit (the 'HuLRT') network and within walking distance of both the Cooksville GO Station and the planned Dundas Bus Rapid Transit (the 'BRT') network. Overall, the Site is well-served by existing and planned higher order

transit services and the proposed Mississauga Official Plan has included the Subject Lands within the Dundas Major Transit Station Area ('MTSA') – a Protected MTSA (Schedule 11).

To date, and prior to the release of the updated Provincial housing targets and the approval of the ROP, the City of Mississauga undertook a City-Wide Major Transit Station Area Study ('Study'). This Study culminated in a series of City-initiated Official Plan Amendments, including the Mississauga OPAs. Collectively, these Amendments delineate a series of 56 MTSA's across the City of Mississauga, identify land use permissions within each MTSA, identify minimum density targets for each MTSA and identify minimum and maximum heights for each MTSA. In our opinion, the implementation of maximum heights in the Mississauga OPAs do not reflect what can be achieved in these areas where compact, mixed-use, transit-supportive development is to be directed and does not conform with provincial policy and the ROP, including the specific policy direction provided by the Minister. We note that in accordance with Provincial direction, the City of Mississauga is required to accommodate 120,000 new homes by 2031. The ways in which the City is to achieve this is to be outlined in the forthcoming Housing Strategy, which is to be considered by City Council in the coming months. Should the City of Mississauga be unable to accommodate this housing target, the pressure on other surrounding municipalities will only increase.

Maximum Building Heights in PMTSA's

As stated, we support the Dundas MTSA delineation and the inclusion of the Subject Lands within the Dundas MTSA. We are, however, concerned with the maximum height identified on the modified Schedule 11m.

The Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe promote intensification, particularly around transit stations, to facilitate complete communities. This direction is further emphasized in the ROP (via Policy 5.4.18.6) which provides that the Region's objective is "[t]o optimize all intensification opportunities across the Region and maximize development within Strategic Growth Areas."

The maximum heights in Official Plan Amendment 144 have been identified without careful analysis of each area in question, do not reflect the most recent Provincial housing targets, and will limit the redevelopment potential of lands where transit-oriented, mixed-use development ought to occur. Contrary to good planning, these maximum heights will become a barrier to accommodating development in appropriate locations, in proximity to higher order transit where higher density, transit-supportive development ought to be, and will be a barrier to supporting greater housing choice and the delivery of 1.5 million new housing units challenging the implementation of Provincial policy objectives. It will also challenge achievement of the City's housing strategy to accommodate 120,000 new homes within the next ten (10) years.

The Regional Role as Approval Authority of the Mississauga OPAs

We are concerned that Regional Staff are presenting an approach to Regional Council that mischaracterizes the Region's role as approval authority in regard to the Mississauga OPAs. Regional Staff are proposing that Council can avoid an analysis of portions of the Mississauga OPAs and can only focus on whether the Mississauga OPAs conform with the minimum densities set out in the ROP. This approach appears contrary to the *Planning Act*. In accordance with Section 3(5) of the *Planning Act*, Regional Council's decision must be consistent and conform with Provincial Policy in all aspects. Further, pursuant to Section 17(34.1) of the *Planning Act*, the Region cannot approve the

Mississauga OPAs if they do not conform with the ROP. The Region cannot pick and choose what matters in an Official Plan Amendment to concern itself with when exercising its role as approval authority and certainly cannot approve an OPA that does not conform with Provincial policy and with the ROP in all aspects.

Based on the staff report provided, Regional Council simply does not have before it a fulsome evaluation of whether the maximum height policies in the Mississauga OPAs conform with Provincial policy and with the ROP. The analysis provided by Regional Staff only focuses on the minimum density related policies of the ROP, while any analysis provided by the City does not take into consideration the recent updates to the ROP, including the clear direction from the Minister, and the recently updated Provincial housing targets. As noted above, in our opinion the maximum heights proposed for the Site do not conform with Provincial policy and do not conform with the ROP.

As such and in the interest of directing appropriate intensification within identified PMTSAs, we respectfully request that you exercise your authority to modify the OPAs to remove the establishment of maximum permitted building heights in PMTSAs including the Dundas MTSA or refuse to approve the Mississauga OPAs at this time and remit them to the City with direction to reconsider the maximum height policies as they apply to PMTSAs including the Dundas MTSA.

Thank you for the opportunity to provide these comments. Please do not hesitate to contact the undersigned if there are any questions.

Sincerely,

GLEN SCHNARR & ASSOCIATES INC.



Glen Broll, MCIP, RPP

Managing Partner



Stephanie Matveeva, MCIP, RPP

Associate

cc. Owner – Ash Singh

Mattamy Homes

Anne Benedetti, Goodmans

Schedule "A"

P:\1319-001\7. Drawings\7.1 GSAI\2022 09 September\Letter Figure Sept 27 22.dwg



AERIAL CONTEXT MAP

3085 HURONTARIO STREET,
CITY OF MISSISSAUGA,
REGIONAL MUNICIPALITY OF PEEL

LEGEND

- | | |
|---|---|
| Subject Lands | Planned LRT Station |
| (Draft Delineated) Dundas Major Transit Station Area | Planned BRT Station |
| Miway Route 1 | Cooksville GO Station |
| Miway Route 2 | |
| BRT Route | |
| HuLRT Route | |



Scale NTS
SEPTEMBER 27, 2022